

APRIL 24, 1995

7:00 P.M.

REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
226 SOUTH WALL STREET

PRESENT: JOHN D. MEADOWS, III, MAYOR
THOMAS H. BOND, MAYOR PRO-TEM
JOHN D. SHELTON, COUNCILMAN
JIMMY PALMER, COUNCILMAN

ABSENT: PAUL MCENTIRE, COUNCILMAN

ALSO: KELLY CORNWELL, DIRECTOR UTILITIES/PUBLIC
WORKS
WILLIAM P. BAILEY, CITY ATTORNEY
CATHY HARRISON, CITY ADMINISTRATOR

1. Mayor Meadows called the meeting to order and gave the invocation.
2. Mayor Meadows led the group in the Pledge of Allegiance to the U.S. Flag.
3. Minutes of the April 10, 1995 Regular City Council Meeting and the April 12, 1995 Special Called Council Meeting were approved as written.
4. Mayor's Comments:
 - a. Mayor Meadows expressed sympathy to the family of Herbert A. King, who passed away following an illness over the past few months. Mayor Meadows expressed appreciation for the faithful service that Herbert King had provided for the City, by serving as a City Councilman for the period of January, 1978 through December 31, 1991. He had also served on the Industrial Development Authority from 1978 until the first of April, 1995, having resigned because of his health.
 - b. Mayor Meadows stated the Council had attended the GMA 7th District Meeting in Lafayette on April 18, 1995. Mayor Meadows stated the session included a review of the legislation passed at the last session, as well as, an update from Nathan Deal. Mayor Meadows also stated Red Wade of Rome, Georgia received the GMA 7th District Service Award.
 - c. Mayor Meadows reminded the Council of the Budget Work Session scheduled for May 1, 1995 at 6:30 P.M.
 - d. Mayor Meadows reminded the Council of two public hearings scheduled for May 8, 1995 at 7:00 P.M.: (1) Temporary Zoning Variance of Larwic Realty, Inc. to locate a mobile sales office in Meadowbrook Place Subdivision; (2) Temporary Zoning Variance of Ismac Company to set a temporary mobile office at 115 Marine Drive.
 - e. Mayor Meadows informed the Council that the initial Cable T.V. Rate Review, which had been prepared by GMA, will be reviewed on May 8, 1995 with a resolution to be considered. Harrison stated a copy of the findings had been forwarded to the cable company, and they will have an opportunity to present any additional information.
 - f. Mayor Meadows asked the Council for a recommendation of a person to fill the unexpired term of Lamar Harrison for the Planning Board, the term to expire on June 1, 1996. Mayor Pro-Tem Bond stated that he had attempted to find a candidate, but had not had anyone to accept the request.
 - g. Mayor Meadows reminded the public of the surplus equipment and vehicle sale scheduled for May 6, 1995 at the Street Barn on Kirby Road at 10:00 A.M.
5. Public Hearings and Comments:
 - a. A 2nd reading of the Revolving Loan Request of David and Anita Langston in the amount of \$40,000.00 for partial purchase price of Pasquales Italian Restaurant was given. A public hearing was opened with the Loan Advisory Committee recommending that the request be denied because of insufficient cash flows and lack of collateral. Following discussion, Mayor Pro-Tem Bond made a motion to deny the request based upon the recommendation of the Loan Advisory Commission, 2nd by Councilman Palmer with Mayor Pro-Tem Bond, Councilman Palmer and Councilman Shelton voting affirmatively, motion carried.
 - b. Mayor Meadows stated that he had requested a public hearing be held on Bill Gillespie's Beer Pouring and Package License for Odyssey Cafe located on Highway 53, East following several complaints. He asked Attorney Bailey to conduct the formal portion of the hearing. Attorney William P. Bailey read a letter which was forwarded to Mr.

Gillespie in accordance with the Malt Beverage Code. He stated the letter was dated April 10, 1995, and had been personally served on Mr. Gillespie on April 17, 1995. Following the reading of the letter which indicated that the activity of the license holder had not been in accordance with the requirements of the code. Detective Gary Moss stated that on five occasions beginning in February, 1995 confidential informants had gone into the Odyssey Cafe had waited as long as over two hours in the restaurant, and were unable to obtain any food, and on one occasion had been told that there were no menus, that it was a bar and no food was available. Attorney Baiely stated the City allowed no beer, wine or liquor to be served at any establishment which is not regarded as a restaurant with a majority of their income being derived from food sales. Bob Hall, a visitor to City Council stated that he had been in the restaurant on several occasions, and had been unable to purchase any food. There were no further comments, and the hearing was closed. Mayor Pro-Tem Bond stated that he recalled the granting of the original license, and that Mr. Gillespie was fully informed of the responsibilities of the license as it related to food sales, and that based on the evidence presented, he asked that the license be revoked immediately, 2nd by Councilman Palmer with Mayor Pro-Tem Bond, Councilman Palmer and Councilman Shelton voting affirmatively, motion carried. Attorney William P. Bailey stated Mr. Gillespie will be notified of the action in writing.

6. Old Business:

- a. A 2nd reading of the Amusement License Request of Knight's Food Store, located at 117 West Belmont Drive for two video machines was given. There were no comments. Councilman Palmer made a motion to approve the license request, 2nd by Mayor Pro-Tem Bond with Councilman Palmer, Mayor Pro-Tem Bond and Councilman Shelton voting affirmatively, motion carried.
- b. A 2nd reading of the "Fun Run" route was discussed for Gordon Hospital. Chief Willie Mitchell had informed Harrison that the original starting point would be Gordon Central School, that all runners would cross Red Bud Road within a five minute period, and that the lead runners would come back across Red Bud Road at which time it would be closed temporarily for a few moments, with the remaining runners coming through red lights for the remainder of the run. Following further discussion, Councilman Palmer made a motion to approve the parade route for the "Fun Run" based on the understanding from Chief Mitchell that he and the Sheriff's Department will provide proper coverage, in addition to the ambulance service, 2nd by Mayor Pro-Tem Bond with Councilman Palmer, Mayor Pro-Tem Bond and Councilman Shelton voting affirmatively, motion carried.
- c. Following review of the City's assessment of \$1,153.43 for the City's share of clean up of the Georgia Transformer site, Mayor Pro-Tem Bond made a motion to approve the final settlement of \$1,153.43, and to authorize the Mayor to sign all necessary documents to close the action which was necessary due to the discontinuation by the Georgia Transformer Company, at which time the area was vacated, and it was necessary for the Federal Superfund to clean up the area, therefore, they assessed everyone who had used the site, 2nd by Councilman Shelton with Mayor Pro-Tem Bond, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.

7. New Business: None

8. Other Written Items Not on the Agenda:

- a. Following discussion, Councilman Palmer made a motion to approve Cathy Harrison as the voting delegate for the GMA Worker's Comp Self Insurance Program, and to authorize a proxy to be sent, 2nd by Mayor Pro-Tem Bond with Councilman Palmer, Mayor Pro-Tem Bond and Councilman Shelton voting affirmatively, motion carried.
- b. Harrison stated that over the last few weeks, individuals of private companies had requested access to the City's water system to perform fire flow tests on the system. Harrison stated that she and Fire Chief Grizzle had declined these requests, but the companies were persistent, and she stated that she felt it was time for the Mayor and Council to set policy or to set a prohibited price for the service. Following discussion, Kelly Cornwell expressed his recommendation that private companies not be allowed to do any work on the system. Following further discussion, Councilman Palmer made a motion, effective immediately, that fire flow tests be done by City of Calhoun personnel only and, should any special tests be necessary from any individual company, the test are to be performed by the City at its convenience and at the expense of the requestor, 2nd by Mayor Pro-Tem Bond with Councilman Palmer, Mayor Pro-Tem

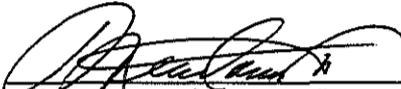
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Bond, and Councilman Shelton voting affirmatively, motion carried.

9. Director Cornwell's Work Report: None
10. Mayor Pro-Tem Bond made a motion to move into Executive Session for real estate and legal matters, 2nd by Councilman Palmer with Mayor Pro-Tem Bond, Councilman Palmer and Councilman Shelton voting affirmatively, motion carried.
 - a. Mayor Meadows stated the legal contract to be discussed with Mike Wroble regarding the Depot had been rescheduled for May 8 because of a serious accident to one of Mr. Wroble's business partners.
11. Mayor Pro-Tem Bond made a motion to move to General Session, 2nd by Councilman Shelton with Mayor Pro-Tem Bond, Councilman Shelton and Councilman Palmer voting affirmatively, motion carried.
12. Councilman Shelton made a motion to adjourn, 2nd by Councilman Palmer with Councilman Shelton, Councilman Palmer and Mayor Pro-Tem Bond voting affirmatively, motion carried.

Approved:

Submitted:


John D. Meadows, III
Mayor


Cathy Harrison
City Administrator

